

Introduced by Senator Machado

February 20, 2003

~~An act to amend Section 65040.5 of the Government Code, relating to general plans. An act to add Section 6609.5 to the Welfare and Institutions Code, relating to sexually violent predators.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 446, as amended, Machado. ~~General plans~~ Community release: local law-enforcement costs: reimbursement.

Existing law provides for the judicial commitment for mental health treatment of a person found to be a sexually violent predator, as defined. Existing law requires that notice be given to local law enforcement agencies if the state is considering petitioning the court for the release of the sexually violent predator.

This bill would make a city or county, other than the predators' previous city or county of residence, eligible to claim state reimbursement for reasonable local law-enforcement costs, as defined, when a sexually violent predator is released from state custody for community placement into the city or county.

~~Existing law requires the Office of Planning and Research to notify the Attorney General if a general plan of a city or county is not revised within 10 years.~~

~~This bill would require the notice to be given if a general plan of a city or county is not revised within 8 years.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 65040.5 of the Government Code is~~
2 ~~amended to read:~~

3 ~~65040.5. (a) The office shall notify a city or county with a~~
4 ~~general plan that has not been revised within eight years.~~

5 ~~(b) The office shall notify the Attorney General if a general~~
6 ~~plan of a city or county has not been revised within eight years.~~

7 SECTION 1. Section 6609.5 is added to the Welfare and
8 Institutions Code, to read:

9 6609.5. (a) In addition to other local law-enforcement costs
10 reimbursed from the State Mandates Claims Fund pursuant to Part
11 7 (commencing with Section 17500) of Division 4 of Title 2 of the
12 Government Code, if a sexually violent predator is released from
13 state custody into a local community placement, the city or county
14 into which the sexually violent predator is released shall be eligible
15 to claim state reimbursement of reasonable local law-enforcement
16 costs related to the community placement of the sexually violent
17 predator within that city or county.

18 (b) A city or county may apply to the Controller for, and the
19 Controller shall pay, reimbursement of reasonable local
20 law-enforcement costs. For the purposes of this section,
21 “reasonable local law-enforcement costs,” include the costs of
22 preventing further violence, including, but are not limited to, the
23 costs of monitoring the sexually violent predator, and of providing
24 police protection for victims, witnesses, and for the sexually
25 violent predator, if necessary.

26 (c) Subdivisions (a) and (b) apply only to a city or county other
27 than the sexually violent predator’s city or county of residence
28 immediately preceding placement of the predator into state
29 custody.